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**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

SPO-108

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

097508342

INTERNATIONAL APPLICATION NO.
PCT/JP98/04125

INTERNATIONAL FILING DATE
September 11, 1998

PRIORITY DATE CLAIMED
September 12, 1997

TITLE OF INVENTION
Mammalian Genes Involved in Circadian Periods

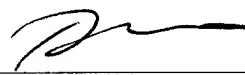
APPLICANT(S) FOR DO/EO/US
Yoshiyuki Sakaki, Hajime Tei

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (unsigned)
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: Verified Statement Claiming Small Entity Status

U.S. APPLICATION NO. <u>09/506342</u> INTERNATIONAL APPLICATION NO. <u>PCT/JP98/04125</u>		ATTORNEY'S DOCKET NUMBER <u>SPO-108</u>	
17. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$970.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$840.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$690.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$670.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$96.00 ENTER APPROPRIATE BASIC FEE AMOUNT =		CALCULATIONS PTO USE ONLY	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	13 - 20 =	0	X \$18.00
Independent claims	11 - 3 =	8	X \$78.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$260.00
TOTAL OF ABOVE CALCULATIONS =			\$1,464.00
Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).			\$ -732.00
SUBTOTAL =			\$ 732.00
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).			\$ 0.00
TOTAL NATIONAL FEE =			\$ 732.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property			+ \$ 0.00
TOTAL FEES ENCLOSED =			\$ 732.00
			Amount to be refunded:
			charged:
a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>19-0065</u> in the amount of \$ <u>732.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0065</u> . A duplicate copy of this sheet is enclosed.			
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.			
SEND ALL CORRESPONDENCE TO: Doran R. Pace Saliwanchik, Lloyd & Saliwanchik A Professional Association 2421 N.W. 41st Street, Suite A-1 Gainesville, FL 32606			
 SIGNATURE: Doran R. Pace NAME <u>38,261</u> REGISTRATION NUMBER			

March 10, 2000

PRELIMINARY AMENDMENT
Patent Application
Docket No. SPO-108

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Yoshiyuki Sakaki, Hajime Tei
Docket No. : SPO-108
For : Mammalian Genes Involved in Circadian Periods

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Sir:

Please amend the above-identified patent application as follows:

In the Claims

Claim 2, line 1: Delete "A" and insert --The--.

Claim 3, line 1: Delete "A" and insert --The--.

Claim 4 (amended):

A protein involved in the formation of circadian rhythm in the suprachiasmatic nucleus (SCN) comprising [the] an amino acid sequence described in SEQ ID NO: 1 or an amino acid sequence described in SEQ ID NO: 2, or said sequence in which one or more amino acids are substituted, deleted, or added.

Claim 6 (amended):

A protein involved in the formation of circadian rhythm in the suprachiasmatic nucleus (SCN) encoded by the DNA comprising [having] a sequence described in SEQ ID NO: 3 or a

sequence described in SEQ ID NO: 4, or by DNA that hybridizes with the DNA described in SEQ ID NO: 3 or SEQ ID NO: 4.

Claim 8 (amended):

DNA encoding [the] a protein selected from the group consisting of [any one of claims 1 to 5]:

(a) a protein derived from a mammal whose expression level in the suprachiasmatic nucleus (SCN) fluctuates with a circadian period; and

(b) a protein involved in the formation of circadian rhythm in the suprachiasmatic nucleus (SCN) comprising an amino acid sequence described in SEQ ID NO: 1 or an amino acid sequence described in SEQ ID NO: 2, or said sequence in which one or more amino acids are substituted, deleted, or added.

Claim 9 (amended):

DNA [having the] comprising a sequence described in SEQ ID NO: 3 or a sequence described in SEQ ID NO: 4, or DNA that hybridizes with the DNA [having the] comprising a sequence described in SEQ ID NO: 3 or SEQ ID NO: 4, wherein the DNA encodes a protein involved in the formation of circadian rhythm in the suprachiasmatic nucleus (SCN).

Claim 11 (amended):

A vector [carrying] comprising the DNA of [any one of claims 8 to 10] claim 8.

Claim 12 (amended):

A transformant expressibly retaining the DNA of [any one of claims 8 to 10] claim 8.

Claim 13 (amended):

A method for producing [the] a protein [of any one of claims 1 to 7,] selected from the group consisting of:

(a) a protein derived from a mammal whose expression level in the suprachiasmatic nucleus (SCN) fluctuates with a circadian period; and

(b) a protein involved in the formation of circadian rhythm in the suprachiasmatic nucleus (SCN);

[the] said method comprising culturing the transformant of claim 12.

Please cancel claims 5, 7 and 10, without prejudice.

Please add the following new claims 14-16:

- 1 14. A vector comprising the DNA of claim 9.
- 1 15. A transformant expressibly retaining the DNA of claim 9.
- 1 16. A method for producing a protein involved in the formation of circadian rhythm
2 in the suprachiasmatic nucleus (SCN), said method comprising culturing the transformant
3 of claim 15.

The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 or 1.17 as required by this paper to Deposit Account 19-0065.

Respectfully submitted,



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DRP/sl

#3



Applicant or Patentee: Yoshiyuki Sakaki, Hajime Tei Attorney's
Serial or Patent No.: _____ Docket No. SPO-108
Filed or Issued: March 10, 2000
For: Mammalian Genes Involved in Circadian Periods

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9 (f) and 1.27 (b)) – INDIVIDUAL

As below named individual, I hereby declare that I qualify as defined in 37 CFR 1.9 (c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office, with regard to the invention entitled Mammalian Genes Involved in Circadian Periods described in

- ☐ the specification filed herewith
☒ PCT application Serial No. PCT/JP98/04125, filed September 11, 1998
☐ patent no. _____, issued _____

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9 (c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).

Each person, concern, or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey or license any rights in the invention is listed below:

- ☒ no such person, concern, or organization
☐ persons, concerns, organizations listed below*

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring their status as small entities. (37 CFR 1.27)

FULL NAME _____
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME _____
ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

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I acknowledge the duty to file, in this application or patent, notification of any change of status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

<u>Yoshiyuki Sakaki</u>	<u>Hajime Tei</u>	
NAME OF INDIVIDUAL	NAME OF INDIVIDUAL	NAME OF INDIVIDUAL
<u>Yoshiyuki Sakaki</u>	<u>Hajime Tei</u>	
Signature of Individual	Signature of Individual	Signature of Individual
<u>April 20, 2000</u>	<u>April 20, 2000</u>	
Date	Date	Date

1 C / PRTS

SPECIFICATION

MAMMALIAN GENES INVOLVED IN CIRCADIAN PERIODS

5 Technical Field

The present invention relates to mammalian genes whose expression changes with a circadian period.

Background Art

Many biochemical processes, physiological processes, and behavioral processes in various organisms ranging from microorganisms to vertebrates exhibit circadian rhythms (Edmunds, L. N. J., Cellular and Molecular Basis of Biological Clock, Springer-Verlag, New York, 1988). Several genes have been suggested to be involved in circadian rhythms.

For example, two mammalian circadian clock mutations have been confirmed thus far. They are Clock of the mouse (Vitaterna, M. H., et al., Science 264: 719-725, 1994) and tau of the hamster (Ralph, M. R. and Menaker, M., Science 241: 1225-1227, 1988). The Clock gene has recently been identified and is believed to encode a transcription factor in the circadian clock (Moor, R. Y. and Eichler, V. B., Brain Res. 42: 201-206: 1972; Stephan, F. K. and Zucker, I., Proc. Natl. Acad. Sci. USA 69: 1583-1586, 1972). On the other hand, the tau gene has not yet been cloned.

25 The period (per) gene has been isolated from *Drosophila* as
a gene necessary for the expression of circadian rhythms for
locomotive activities and eclosion behavior (Konopka, R. J. and
Benzer, S., Proc. Natl. Acad. Sci. USA 68: 2112-2116, 1971). In
the brain of the fly the oscillation of the levels of the per mRNA
30 and of the PERIOD (dPER) protein are thought to determine the rhythms
(Hardin, P. E., et al., Nature 343: 536-540, 1990; Zerr, D. M., et
al., J. Neurosci. 10: 2749-2762, 1990). However, per homologues
in other organisms than insects have not been identified.

35 Disclosure of the Invention

An object of the present invention is to provide novel

mammalian proteins and the genes thereof that are involved in the circadian period. More specifically, the object is to provide mammalian proteins and the genes thereof that are functionally equivalent to those of the *Drosophila* period (per) gene product.

5 To attain the above object, the present inventors focused on a region expected to play a functionally important role within the *Drosophila* gene known to be involved in the circadian rhythms, and performed a type of PCR, which had been developed on our own, using the primers designed based on the sequence of the region. As a result,
10 we succeeded in isolating a human gene that corresponds to the above-mentioned *Drosophila* gene. We also succeeded in isolating a mouse gene that corresponds to the human gene by using the isolated human gene as a probe. Furthermore, we analyzed structures of the proteins encoded by the human and the mouse genes thus isolated and
15 discovered that these proteins highly conserve the functional domains and the structural domains that have been identified in the *Drosophila* protein. In addition, analysis of the expression of the isolated mouse gene in the suprachiasmatic nucleus, which is the region responsible for functioning as a circadian pacemaker in the
20 mammalian brain, revealed that the expression of the gene fluctuates with a circadian period.

Namely, the present invention relates to proteins and the genes thereof that are involved in the circadian periods of mammals, and more specifically to

- 25 (1) a protein derived from a mammal whose expression level in the suprachiasmatic nucleus (SCN) fluctuates with a circadian period,
(2) a protein of (1) wherein the mammal is a human,
(3) a protein of (1) wherein the mammal is a mouse,
(4) a protein involved in the formation of circadian rhythm in
30 the suprachiasmatic nucleus (SCN) comprising the amino acid sequence described in SEQ ID NO: 1 or said sequence in which one or more amino acids are substituted, deleted, or added,
(5) a protein involved in the formation of circadian rhythm in
the suprachiasmatic nucleus (SCN) comprising the amino acid
35 sequence described in SEQ ID NO: 2 or said sequence in which one or more amino acids are substituted, deleted, or added,

- (6) a protein involved in the formation of circadian rhythm in the suprachiasmatic nucleus (SCN) encoded by the DNA having a sequence described in SEQ ID NO: 3 or by DNA that hybridizes with the DNA described in SEQ ID NO: 3,
- 5 (7) a protein involved in the formation of circadian rhythm in the suprachiasmatic nucleus (SCN) encoded by the DNA having a sequence described in SEQ ID NO: 4 or by DNA that hybridizes with the DNA described in SEQ ID NO: 4,
- (8) DNA encoding any of the proteins of (1) to (5),
- 10 (9) DNA having the sequence described in SEQ ID NO: 3 or DNA that hybridizes with the DNA having the sequence described in SEQ ID NO: 3, wherein the DNA encodes a protein involved in the formation of circadian rhythm in the suprachiasmatic nucleus (SCN),
- (10) DNA having the sequence described in SEQ ID NO: 4 or DNA that
- 15 hybridizes with the DNA having the sequence described in SEQ ID NO: 4, wherein the DNA encodes a protein involved in the formation of circadian rhythm in the suprachiasmatic nucleus (SCN),
- (11) a vector carrying any of the DNA of (8) to (10),
- (12) a transformant expressibly retaining any of the DNA of (8)
- 20 to (10), and
- (13) a method for producing any of the proteins of (1) to (7), the method comprising culturing the transformant of (12).

Herein, the "circadian periods" means the activity rhythms with a period of approximately 24 hours which are observed in a wide

25 variety of behaviors such as endocrine secretions and body temperature, blood pressure, sleep-wakefulness, and others of an organism.

The expression of the protein of the present invention oscillates autonomously with a circadian period in the

30 suprachiasmatic nucleus (SCN), which is a major circadian pacemaker of the mammalian brain (Moor, R. Y. and Eichler, V. B., Brain Res. 42: 201-206: 1972; Stephan, F. K. and Zucker, I., Proc. Natl. Acad. Sci. USA 69: 1583-1586, 1972). The amino acid sequences of the proteins derived from the human and the mouse included in the present

35 invention are shown in SEQ ID NO: 1 and SEQ ID NO: 2, respectively. The amino acid sequences of these two mammalian proteins fairly

homologous with that of the *Drosophila* protein (the period gene product) (Citri, Y., et al., Nature 326: 42-47, 1987). The period gene is required for the expression of the circadian rhythms of locomotive activities and hatching behavior in *Drosophila* (Konopka, R. J. and Benzer, S., Proc. Natl. Acad. Sci. USA 68: 2112-2116, 1971). The oscillations of its mRNA and protein levels in the fly brain are thought to determine the rhythms (Hardin, P. E., et al., Nature 343: 536-540, 1990; Zerr, D. M., et al., J. Neurosci. 10: 2749-2762, 1990). These two proteins show highly homologous with the *Drosophila* protein in the PAS domains which have been suggested to be structurally and functionally important based on the genetic and biochemical studies (Baylies, M. K. et al., Nature 326: 390-392, 1987; Saez, L. and Young, M. W., Neuron 17: 911-920, 1996).

Recently King et al. have cloned the mammalian "Clock" gene, which encodes a bHLH-PAS-polyQ polypeptide (King, D. P., et al., Cell 89: 641-653, 1997; Antoch, M. P., et al., Cell 89: 655-667, 1997). The proteins of the present invention can form dimers with other molecules such as "CLOCK" by means of the PAS-PAS interaction in the circadian clock system.

The proteins of the present invention can be prepared as a recombinant protein utilizing the genetic recombinant technology, or as a natural protein. A recombinant protein can be prepared by culturing the cells transformed with DNA encoding the protein of the present invention as described later. A natural protein can be isolated, for example, from the somatic cell tissues, such as brain, pancreas, kidney, skeletal muscle, liver, lung, placenta, heart, spleen, and testis using an affinity column with an appropriate carrier bound to an antibody that is prepared using the above-mentioned recombinant protein of the present invention.

It is possible for a person skilled in the art to prepare a protein substantially identical to the protein described in SEQ ID NO: 1 or SEQ ID NO: 2 by making amino acid substitutions and other modifications to the protein described in SEQ ID NO: 1 using known methods. Mutations of amino acids in a protein may also occur spontaneously. Thus, the present invention includes modified proteins that result from the modification of amino acids of the

protein described in SEQ ID NO: 1 or 2 by substitution, deletion, or addition, and are involved in the formation of circadian rhythms in the suprachiasmatic nucleus (SCN). The known methods to modify amino acids include the ODA (Oligonucleotide-directed Dual
5 Amber)-LA PCR method (Hashimoto-Gotoh, T., et al., Gene 152: 271-275, 1995). The amino acids to be substituted are usually within 10 amino acids, preferably within 6 amino acids, and more preferably within 3 amino acids.

It is routine for one skilled in the art to obtain proteins
10 that are substantially functionally equivalent to the protein described in SEQ ID NO: 1 or 2 from DNAs that are highly homologous with the DNA having a sequence described in SEQ ID NO: 3 or 4 and isolated from other organisms using such methods as the known hybridization technique (Church, G. M. and Gilbert, W., Proc. Natl.
15 Acad. Sci. USA 81: 1991-1995, 1984; Sambrook, J., et al., Molecular Cloning, 2nd ed., 1989) based on the DNA sequence described in SEQ ID NO: 3 or 4 (or part thereof). Thus the proteins encoded by the DNA that hybridizes with the DNA sequence described in SEQ ID NO: 3 or 4, which are involved in the formation of circadian rhythms
20 in the suprachiasmatic nucleus (SCN), are also included in the proteins of the present invention. The source of the DNA for hybridization includes mammals such as rats, dogs, cats, monkeys, whales, cattle, pigs, and horses. The DNA encoding the proteins from these other organisms should usually highly homologous with
25 the DNA described in SEQ ID NO: 3 or 4. "Being highly homologous" means having at least 60%, preferably at least 70%, more preferably at least 80%, and still more preferably at least 90% of sequence identity with the DNA described in SEQ ID NO: 3 or 4. The hybridization for isolating such DNAs can be performed, for example,
30 in a mixture consisting of 6 x SSPE, 5 x Denhardt's solution, 0.5% SDS, 100 µl/ml denatured salmon sperm DNA, and 50% formamide, usually at 42°C, less stringently at 32°C, or more stringently at 65°C.

The present invention also relates to DNAs encoding the proteins of the present invention described above. The DNAs
35 encoding the proteins of the present invention can be cDNA, genomic DNA, or synthetic DNA. The DNAs of the present invention can be

utilized, for example, to manufacture the proteins of the present invention as recombinant proteins. Namely, the DNA encoding a protein of the present invention (for example, the DNA described in SEQ ID NO: 3 or 4) is inserted into an appropriate expression vector, appropriate cells are transformed with the vector, the transformants are cultured, and the expressed protein is purified to prepare the proteins of the present invention as recombinant proteins.

The preferred cells used for the production of the recombinant proteins include *E. coli*, yeast, insect cells, and animal cells. The vectors used to express the recombinant proteins within these cells include the pET system, pAUR system, baculovirus vectors (pBlue Bac, etc.), and the CMV or RSV promoter-driven vectors, etc.

The transfection of the vector into the host cell can be done, for example, by electroporation for *E. coli* and yeast, and the liposome method for insect cells and animal cells. The lithium acetate method can also be used for yeast.

The recombinant protein can be purified from the transformant, for example, by ion exchange, gel filtration, or anti-Per antibody column chromatography.

The proteins or the DNAs of the present invention are applicable to treat disorders related to circadian rhythms, such as sleep phase delay syndrome, sleep phase progression syndrome, non-circadian sleep-wake syndrome, irregular sleep-wake disorder, and time difference syndrome (so-called jet lag). They are also applicable to the labor and health management of irregular night time workers and to prevention of night poriomania in dementia.

Brief Description of the Drawings

Figure 1 shows the amino acid sequences within the PAS repeats (arrows) that were used to design the primers for IMS-PCR.

Figure 2 is a photograph showing an electrophoresis image of 3 bp ladder markers that were electrophoresed on a 10% non-denaturing PAGE gel in a non-continuous buffer solution system. A 10 bp DNA ladder (BRL) was electrophoresed on lane M.

Figure 3 is a photograph showing an electrophoresis image of

the IMS-PCR product (lanes marked with arrows) that was electrophoresed along with 59 bp, 65 bp, and 68 bp of the 3 bp ladder markers (lanes marked with asterisks).

Figure 4 shows an amino acid sequence comparison among the PERIOD family members. hDIAL, mDIAL, and PERIOD indicate the human, the mouse, and the *Drosophila* version of PERIOD, respectively. Shaded or dotted boxes indicate homologous sequences, and C1 through C6 indicate regions conserved among different *Drosophila* species.

Figure 5 shows an amino acid sequence comparison among the PERIOD family members. hDIAL, mDIAL, and PERIOD indicate the human, the mouse, and the *Drosophila* version of PERIOD, respectively. Shaded or dotted portions indicate homologous sequences. Sequences corresponding to NLS, the PAS-A repeats, the PAS-B repeats, and CLD are underlined, and the TG repeats (the SG repeats in the human and mouse PER) are boxed. Amino acid identities between the human PERIOD and the mouse PERIOD are indicated by asterisks above the human PERIOD sequence. The identities and homologies between the mammalian PERIOD and the *Drosophila* PERIOD are indicated by asterisks and open circles below the *Drosophila* PERIOD sequence.

Figure 6 is a photograph showing the northern blot analysis of hPER. hPER was bound to the filter as a probe, and then G3PDH was bound as a loading control.

Figure 7 is a photograph showing the northern blot analysis of mPer. mPer was bound to the filter as a probe, and then G3PDH was bound as a loading control.

Figure 8 is a photograph showing the results of *in situ* hybridization of mPer in the mouse brain under the LD (top) and the DD (bottom) conditions. SCN is indicated by arrows. The bar indicates 2 mm.

Figure 9 shows the results of quantification of *in situ* hybridization data under the LD (top) and the DD (bottom) conditions. Each data point is the average \pm SEM (n=5). ** indicates significance at the 1% significance level, and * at the 5% significance level, compared with the values at ZT16 and CT16. The white portion of the bar represents the light period, and the black portions the dark periods.

Figure 10 shows the results of the competitive RT-PCR analysis on the mPer mRNA under the LD (top) and the DD (bottom) conditions. AmPer indicates a competitive factor for mPer and $\Delta\beta$ -actin indicates a competitive factor for β -actin. The white portion of the bar represents the light period, and the black portions the dark periods.

Best Mode for Carrying out the Invention

The present invention is illustrated in detail below with reference to the following examples, but is not to be construed as being limited thereto.

Example 1 Isolation of the mammalian homologues of per

In order to isolate the mammalian homologues of per, the inventors have developed a novel method, intramodule scanning (IMS)-PCR. The principle of the method is based on the fact that in the human genome short stretches of DNA sequences (modules) that encode short polypeptide fragments (motifs) are scattered over long genomic distances. If a sufficient number of "intramodule scanning" primers are used to cover the entire length of a gene, the module can be screened with equal frequencies irrespective of their expression levels.

Genetic and biochemical studies have suggested that the PAS domains in dPER are structurally and functionally important (Baylies, M. K. et al., Nature 326: 390-392, 1987; Saez, L. and Young, M. W., Neuron 17: 911-920, 1996). Therefore, we designed 18 different primers corresponding to the internal sequences of the dPER PAS-A and PAS-B repeats (Figure 1). The sequences of the degenerate primer pairs for the PAS-A and PAS-B repeats are as follows:

GTGCTGGGCTACCCN(A/C)GNGA;
CTGGGCTACCCCC(A/G)(A/G)GANATG;
GGCTACCCCC(A/G)(A/G)GANATGTGG;
CTGGGCT(A/T)CCTGCCNCA(A/G);
CTGGGCT(A/T)CCTGCCNCA(A/G)GA;
GGCTACCTGCC(C/T)CA(A/G)GAN(C/T);
GCCCC(G/A)TCCTTCAG(G/A)TGNAC;
TCCTCATG(A/G)TGCAC(A/G)(T/A)ANTC;

ATGTCCTCATG(A/G)TG(C/G)AC(A/G)(A/T)A; and
GACAC(A/G)TCCTCATG(A/G)TG(A/G)TA.

Here, symbols such as A/G mean mixture primers between A and G.

Since homologous polypeptides share common characteristics
5 at the corresponding positions within the molecules, when the
corresponding amino acid sequences are used for synthesizing PCR
primers, the lengths of the PCR products reflect the characteristics
of the domain structure in each polypeptide with respect to the
positions. Considering the lengths of a codon (3 bp) and an exon
10 (100 bp on average) in a human gene, we synthesized the 3 bp ladder
markers (53 to 113 bp) by PCR using the series of primers and pUC18
as the template. An electrophoretic image of these 3 bp ladder
marker and a 10 bp DNA ladder marker (BRL) are shown in Figure 2.
The markers were electrophoresed along with the PCR products side
15 by side in a non-continuous buffer solution system (Ito, T., Hohjoh,
H. and Sakaki, Y., Electrophoresis 14: 278-282, 1993) on a non-
denaturing PAGE (10%) gel (Figure 3).

Each PCR mixture (Sambrook, J., et al., Molecular Cloning,
Cold Spring Harbor Laboratory, 1989) contained 0.5 µg of human
20 genomic DNA. The mixture was incubated at 94°C for 1 minute, and
subjected to 3 cycles of [94°C for 30 seconds, 37°C for 30 seconds,
and 72°C for 30 seconds], followed by 25 cycles of [94°C for 30 seconds,
45°C for 30 seconds, and 72°C for 30 seconds].

The DNA bands of expected lengths were cloned and their
25 sequences determined. Among the 33 clones (59 to 74 bp) derived
from the 12 bands that were produced by the nested PCR using a certain
primer pair (corresponding to the peptide sequences 5'"GYLPQD" and
3'"FVHHEDI"), the clones of 65 bp were especially amplified 6 to
21 fold. It became clear that the genomic DNA sequence containing
30 the 65 bp fragment has a 106 bp exon encoding 35 amino acid residues
that are part of the PAS-B domain consisting of a total of 125 amino
acids. We isolated the corresponding cDNA and named human PER (hPER)
cDNA. Next, we cloned a mouse homologue (mPer) cDNA using the hPER
cDNA as a probe. The nucleotide sequences determined are shown in
35 SEQ ID NO: 3 for hPER, and SEQ ID NO: 4 for mPer. FISH revealed
that the hPER gene and the mPer gene were located at 17p12-13.1 and

11B, respectively, which are gene loci in synteny between the two species.

The cDNA sequences of hPER and mPer contain ORF's that are expected to encode 1,290 amino acid residues and 1,291 amino acid residues, respectively. (See Figure 5. The putative amino acid sequence of the hPER gene product is shown in SEQ ID NO: 3, and that of the mPer gene product in SEQ ID NO: 4.) The amino acid identity between hPER and mPER is 92%, clearly indicating that hPER and mPer are conserved between the two species (Figure 5). A homology search using the BLAST program on non-overlapping amino acid databases demonstrated that the two mammalian PER's showed the highest homology with dPER (type A) (Citri, Y., et al., Nature 326:42-47, 1987). Significant homologies between the mammalian PER and the *Drosophila* PER were concentrated on five domains (Figures 4 and 5):

- I) N-terminal homologous regions (residues 44 to 131 of hPER and mPER);
- II) PAS-A (residues 217 to 282 for both homologues);
- III) PAS-B (residues 338 to 456 for both homologues) and its immediate downstream sequence (residues 457 to 485 for both homologues);
- IV) a short segment corresponding to the downstream region from the site (residue 589) of the per S mutation (which shortens the circadian period) (residues 624 to 645 for both homologues); and
- V) regions homologous with the PER-C C-terminal region (residues 1006 to 1050 for hPER and residues 1005 to 1049 for mPER), subsequent serine-glycine (SG) repeats (residues 1051 to 1072 for hPER and residues 1050 to 1071 for mPER), and further downstream homologous sequences (residues 1073 to 1108 for hPER and residues 1072 to 1107 for mPER).

The homology in these regions are 44%, 47%, 56%, 64%, and 37%, respectively (Figure 4). Although the PAS domains (regions II and III) of the PER homologues are fairly homologous to the corresponding region of dPER, other regions also show high homologies. Five structural domains and functional domains have been identified in dPER: a) the nuclear localization signal (NLS) (residues 66 to 79) (Vosshall, L. B., et al., Science 263:1606-1609, 1996); b) the PAS domain (residues 233 to 490) necessary for dPER to interact with the NLS of TIM (Saez, L. and Young, M. W., Neuron 17: 911-920, 1996); c) the cytoplasmic localization domain (CLD)

(residues 453 to 511) located downstream from the PAS-B repeats (Saez, L. and Young, M. W., Neuron 17: 911-920, 1996); d) the PER-C domain (residues 524 to 685) which interacts with the PAS domain in the self-polypeptide (Huang, Z. J., et al., Science 267: 1169-1172, 1995); and e) the threonine-glycine (TG) repeats (residues 694 to 748) and the immediate downstream region (residues 749 to 868) which control the rhythm of the species-specific mating song of *Drosophila* (Wheeler, D. A., et al., Science 251: 1082-1085, 1991). Thus, NLS, PAS, CLD, the two domains within PER-C, and the TG repeats and a segment next to its C-terminus in each mammalian PER are arranged in exactly the same order as in dPER. Interestingly, the TG repeats of dPER are replaced with short SG repeats in the C-terminal halves of the PER homologues (Figure 5). This segment, which is adjacent to PER-C, and the sequence homologous to the C-terminal side of the TG repeats are located approximately 350 bases downstream from the original locations in dPER (Figure 4). These regions are also highly conserved in both the human and the mouse (Figure 5). Six PER segments (C1-C6) that are highly conserved among different *Drosophila* species are seen (Figure 4) (Colot, H. V., et al., EMBO J. 7: 3929-3937, 1988). Like in the silkmoth homologue of PER, the parts of the mammalian PER that are homologous with dPER are concentrated on the regions corresponding to C1-C3 of dPER (Figure 4) (Reppert, S.M., et al., Neuron 13: 1167-1176, 1994). Considering these observations, hPER and mPer are conclusively the structural homologues of per.

Example 2 Expression of hPER and mPer

The expression patterns of hPER and mPer were examined by northern hybridization according to the method of Church and Gilbert (Church, G. M. and Gilbert, W., Proc. Natl. Acad. Sci. USA 81: 1991-1995, 1984). The filters were purchased from Clontech. The results are shown in Figure 6 (hPER) and Figure 7 (mPer). The expression product of approximately 4.6 kb was detected in all the tissues tested from the adult human and the mouse. However, the levels of the hPER/mPer transcription product are not uniform as compared with those of glycerol-3-phosphate dehydrogenase (G3PDH),

which is an enzyme in the glycolytic pathway and is abundantly and relatively constantly expressed in every cell. The wide distribution of the hPER/mPer expression is not surprising because in *Drosophila* the per expression has been detected in many tissues except the brain (Liu, X., et al., Genes Dev. 2: 228-238, 1988; Saez, L. and Young, M. W., Mol. Cell. Biol. 8: 5378-5385, 1988).

Example 3 Distribution of the mPer cDNA in the mouse brain

The distribution of the mPer cDNA in the mouse brain was examined by *in situ* hybridization. Continuous cortical sections (40 μ m thickness) of the mouse brain were prepared in the cryostat. *In situ* hybridization and determination of mRNA are described in the literature reference (e.g., Ban, Y., Shigeyoshi, Y. and Okamura, H., J. Neurosci. 17: 3920-3931, 1997). The ³³P-labeled probes used in the hybridization were the sense and the antisense strands on the 5' side of the mPer cRNA (nucleotide positions 538-1752; data not shown). After the signals were converted into relative optical concentrations using the ¹⁴C-acrylic acid standard (Amersham, Inc. Plc.), the radioactivity was analyzed on each section on the BioMax film (Kodak) using a microcomputer connected to an image analyzer (MCID, Imaging Research, Inc.). These data were standardized against the difference in signal intensities between the equivalent regions of SCN and corpus callosum. The intensities of optical concentrations in the sections covering from the rostral end to the caudal end of SCN (10 pieces per mouse) were added, and the total was used as the measured value of the mPer mRNA quantity of this region. As a result, weak signals were detected from most brain areas including the cortical structures and non-cortical structures. Stronger mPer mRNA signals were detected from the pyramidal cell layer of piriform cortex, periventricular regions of the caudate putamen, many of the thalamic nuclei, and the granular layer of cerebellar cortex. Surprisingly, the highest mPer expression level in the brain was observed in SCN at a specific time (Figures 8 and 9; explained below).

In order to examine the time dependence of the mPer expression in SCN, mice were synchronized to an environment by keeping them

under the 12 h light/12 h dark (LD) conditions. The mPer mRNA was quantified by *in situ* hybridization and the competitive RT-PCR method. The competitive RT-PCR was performed as follows. First, we prepared mouse brain sections (0.5 mm thickness) in the "Mouse Brain Matrix" (Neuroscience, Inc., Tokyo). Using a microdissection needle (600 μ m diameter), SCN was pressed out laterally symmetrically from the frozen sections under a stereoscopic microscope. Total RNA was extracted from SCN (n=4) using TRIZOL solution (BRL), treated with DNase I (Stratagene), and purified using TRIZOL LS solution (BRL). "SUPERSCRIP^T Preamplification System" (BRL) was used to reverse-transcribe approximately 1 μ g of RNA, and the cDNAs of mPer and β -actin were quantified by the competitive PCR method. The PCR products were electrophoresed on a non-denaturing PAGE gel (5.5%), stained with "SYBR Green" (Molecular Probes), and the DNA in appropriate bands was quantified with "FMBIO11 fluoroimage analyzer" (Hitachi). The competitive DNA fragments for mPer and β -actin were constructed by making internal deletions in the respective cDNAs. mPer, mPer competitive factor, β -actin, and β -actin competitive factor were 482 bp, 246 bp, 1228 bp, and 1044 bp, respectively.

These two methods (*in situ* hybridization and the competitive RT-PCR method) produced similar oscillation profiles in LD (Figures 8 and 10; upper panels). The mPer mRNA quantity reached a peak in the light condition (from ZT4 to ZT8; ZT indicates the time under the LD condition as in Figures 8 to 10), and fell to a minimum in the dark condition (from ZT16 to ZT20) (Figure 9; upper panel). Moreover, under the constant dark condition (DD), there were free-run changes (Figures 8 and 10; lower panels), in which the mPer mRNA levels reached a peak between CT4 and CT8 (CT indicates the time under the DD condition as in Figures 8 to 10) and fell to a minimum between CT16 and CT20 (Figure 9; lower panel). The mPer mRNA in SCN is expressed with a strong and autonomous circadian period under the constant dark condition as described above, suggesting that this gene functions as a circadian rhythm pacemaker. Changes of the mPer mRNA in SCN with a circadian rhythm resemble the nervous activities in this brain region (Inouye, S-T. and

Kawamura, H., Proc. Natl. Acad. Sci. USA 76: 5962-5966, 1979;
Schwartz, W. J. and Gainer, H., Science 197: 1089-1092, 1977;
Gillette, M. U. and Reppert, S. M., Brain Res. Bull. 19: 135-139,
1987), reaching a peak in the daytime and falling to a minimum during
5 the night. mPer may function as a controlling factor of the nervous
activities in SCN.

Industrial Applicability

10 The present invention provides novel mammalian proteins and
their genes involved in the circadian period. The proteins and the
DNAs of the present invention are expected to be able to correct
abnormalities of the circadian rhythm in the mammals, and would thus
be useful for treating disorders related to circadian rhythms, such
as sleep phase delay syndrome, sleep phase progression syndrome,
15 non-circadian sleep-wake syndrome, irregular sleep-wake disorder,
and time difference syndrome (so-called jet lag). They are also
applicable to the labor and health management of irregular night
time workers and to the prevention of such disorders as night
poriomania in dementia.

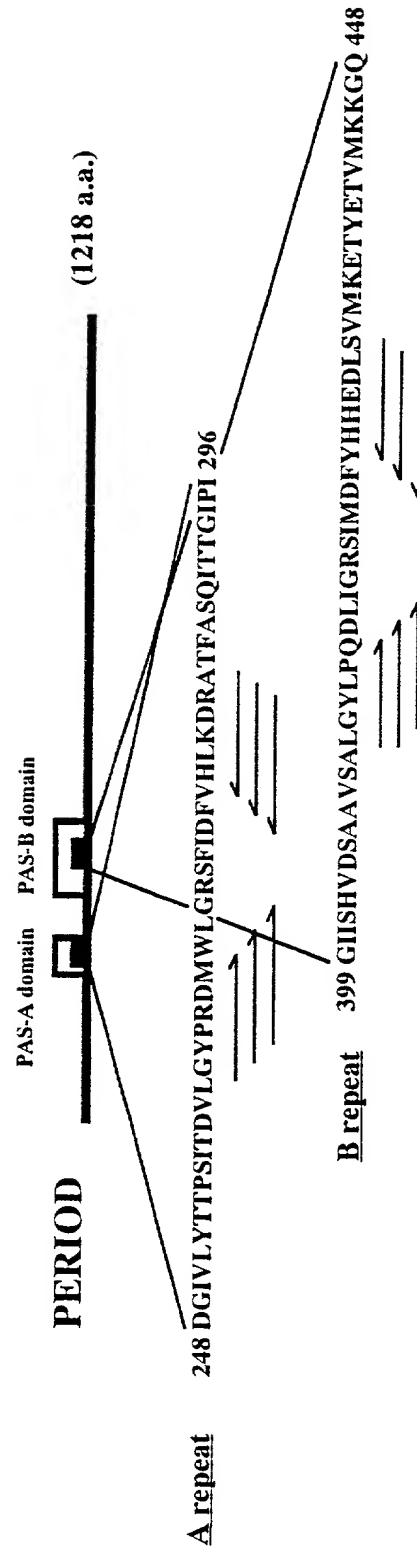
CLAIMS

1. A protein derived from a mammal whose expression level in the suprachiasmatic nucleus (SCN) fluctuates with a circadian period.
- 5 2. A protein of claim 1, wherein the mammal is a human.
3. A protein of claim 1, wherein the mammal is a mouse.
4. A protein involved in the formation of circadian rhythm in the suprachiasmatic nucleus (SCN) comprising the amino acid sequence described in SEQ ID NO: 1 or said sequence in which one or more amino
10 acids are substituted, deleted, or added.
5. A protein involved in the formation of circadian rhythm in the suprachiasmatic nucleus (SCN) comprising the amino acid sequence described in SEQ ID NO: 2 or said sequence in which one or more amino acids are substituted, deleted, or added.
- 15 6. A protein involved in the formation of circadian rhythm in the suprachiasmatic nucleus (SCN) encoded by the DNA having a sequence described in SEQ ID NO: 3 or by DNA that hybridizes with the DNA described in SEQ ID NO: 3.
7. A protein involved in the formation of circadian rhythm in
20 the suprachiasmatic nucleus (SCN) encoded by the DNA having a sequence described in SEQ ID NO: 4 or by DNA that hybridizes with the DNA described in SEQ ID NO: 4.
8. DNA encoding the protein of any one of claims 1 to 5.
9. DNA having the sequence described in SEQ ID NO: 3 or DNA that
25 hybridizes with the DNA having the sequence described in SEQ ID NO: 3, wherein the DNA encodes a protein involved in the formation of circadian rhythm in the suprachiasmatic nucleus (SCN).
10. DNA having the sequence described in SEQ ID NO: 4 or DNA that hybridizes with the DNA having the sequence described in SEQ ID NO:
30 4, wherein the DNA encodes a protein involved in the formation of circadian rhythm in the suprachiasmatic nucleus (SCN).
11. A vector carrying the DNA of any one of claims 8 to 10.
12. A transformant expressibly retaining the DNA of any one of claims 8 to 10.
- 35 13. A method for producing the protein of any one of claims 1 to 7, the method comprising culturing the transformant of claim 12.

ABSTRACT

A human gene and a mouse gene corresponding to *Drosophila* period gene which is known to be involved in the circadian period.
5 The proteins and DNAs are applicable to the treatment of diseases relating to the circadian rhythm such as sleep phase delay syndrom, sleep phase progression syndrom, non-circadian sleep-wake syndrome, irregular sleep-wake disorder, and time difference syndrome (so-called jet lag), and to the labor and health management of
10 irregular night time workers and the prevention of such disorders as night poriomania in dementia.

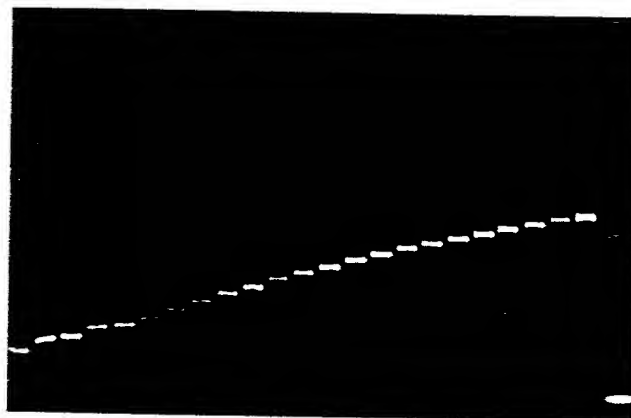
Figure 1



2/10

Figure 2

(bp) 53 57 60 65 71 77 83 89 95 101 107 113
56 59 62 68 74 80 86 92 98 104 110 M



3/10

Figure 3

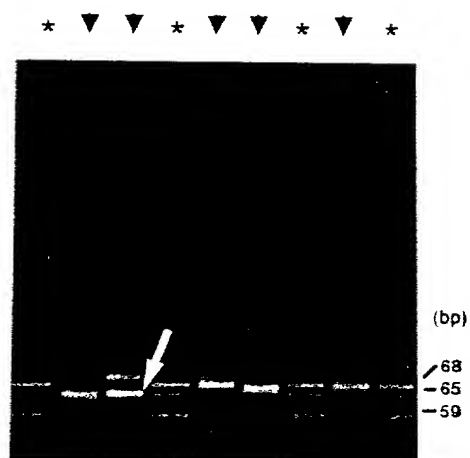
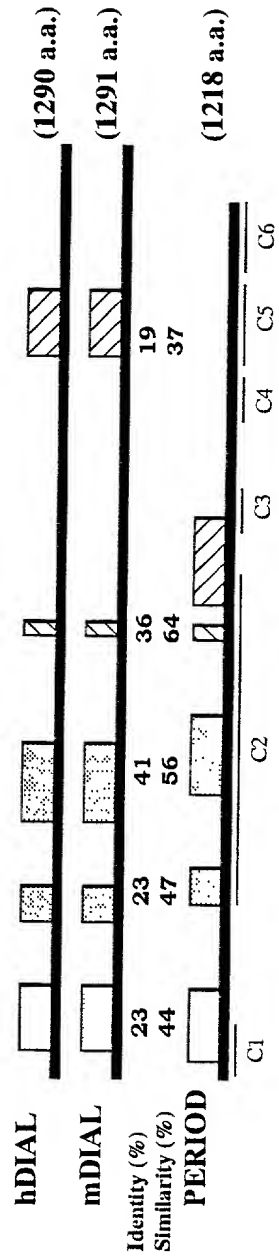


Figure 4



5/10

Figure 5

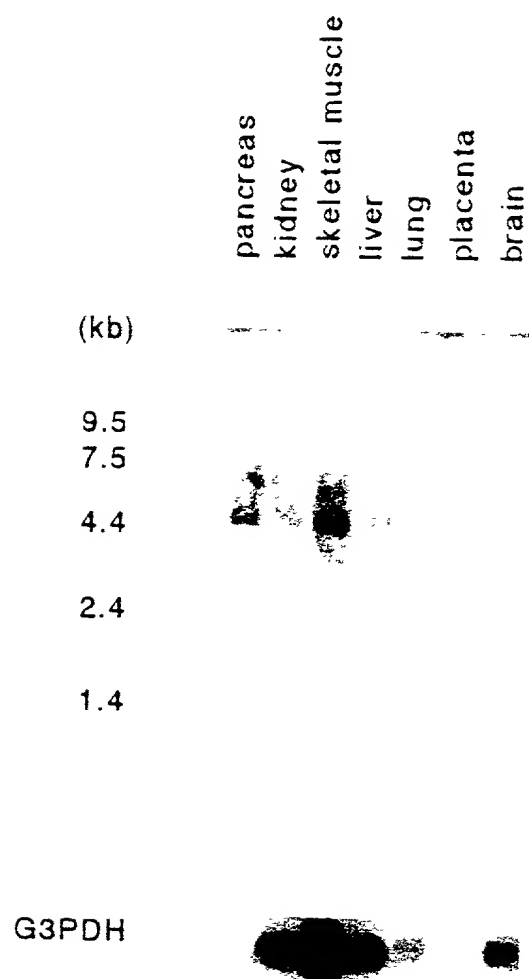
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PERIOD -----MEGGESTSTHTNKVSDSAYSNSCNSQSQRSQSSKRLSGSHSSGSSGTYGKPSQASSSEMIKRNKDKSRKQKKGAGQAGQAQTLI 92
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PERIOD SASTSLEGRDEEKPRFSGTGCVQQLCLRELQDQGHEDHSEFQAIEQLQDEEDQSGSESEADRVGVAKS--EAAQSPFIF--SPLSVTIUVPMSGGCGGVGAAGLDSG 200
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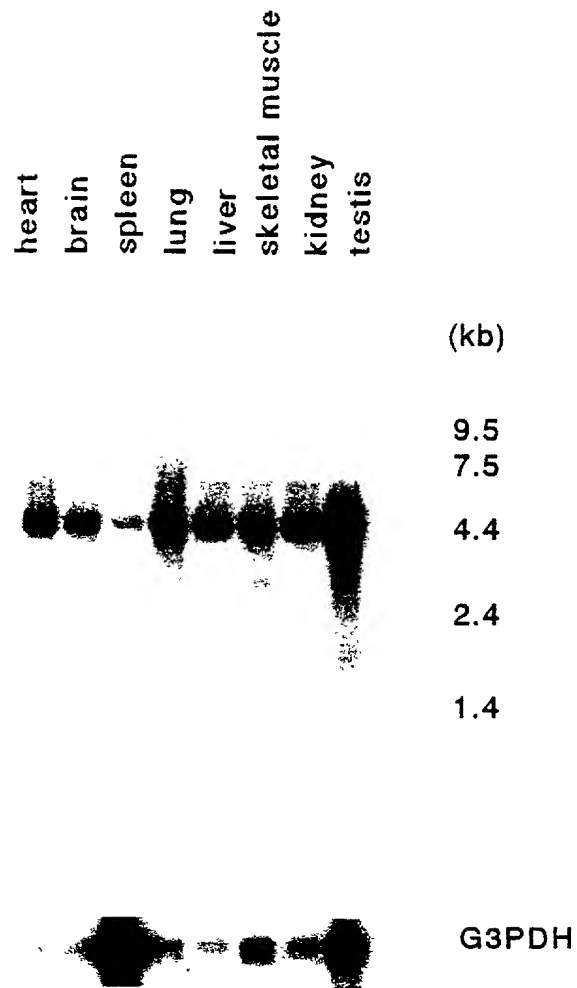
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Figure 6



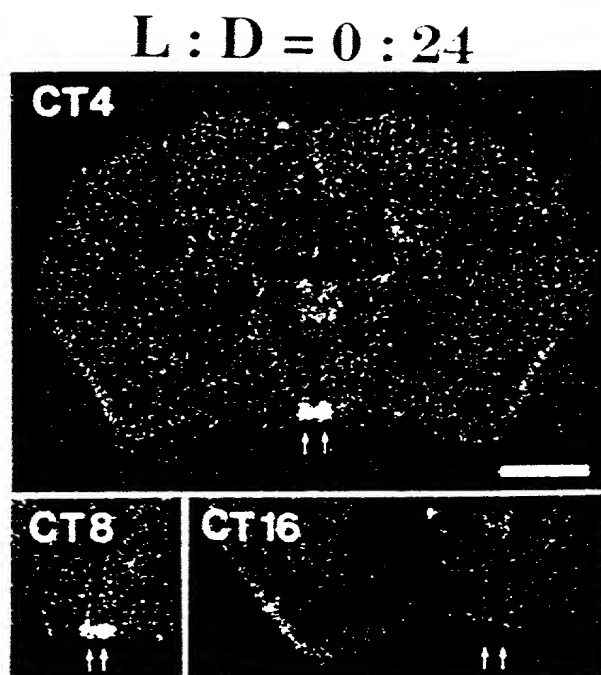
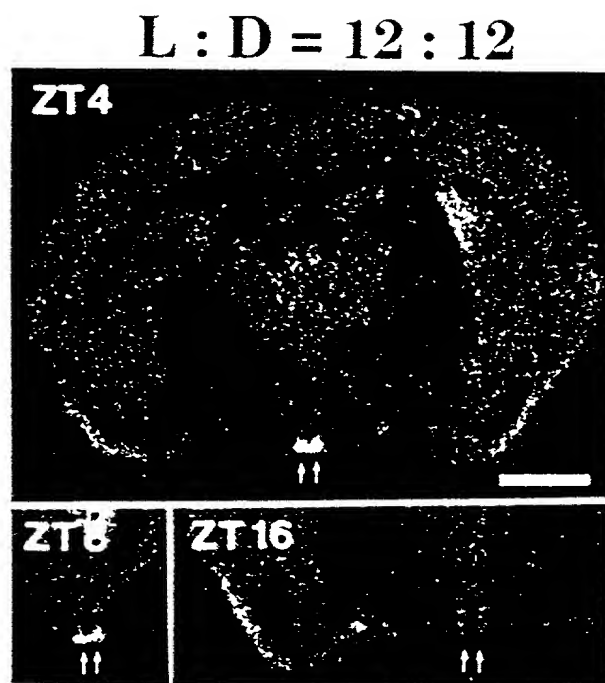
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Figure 7



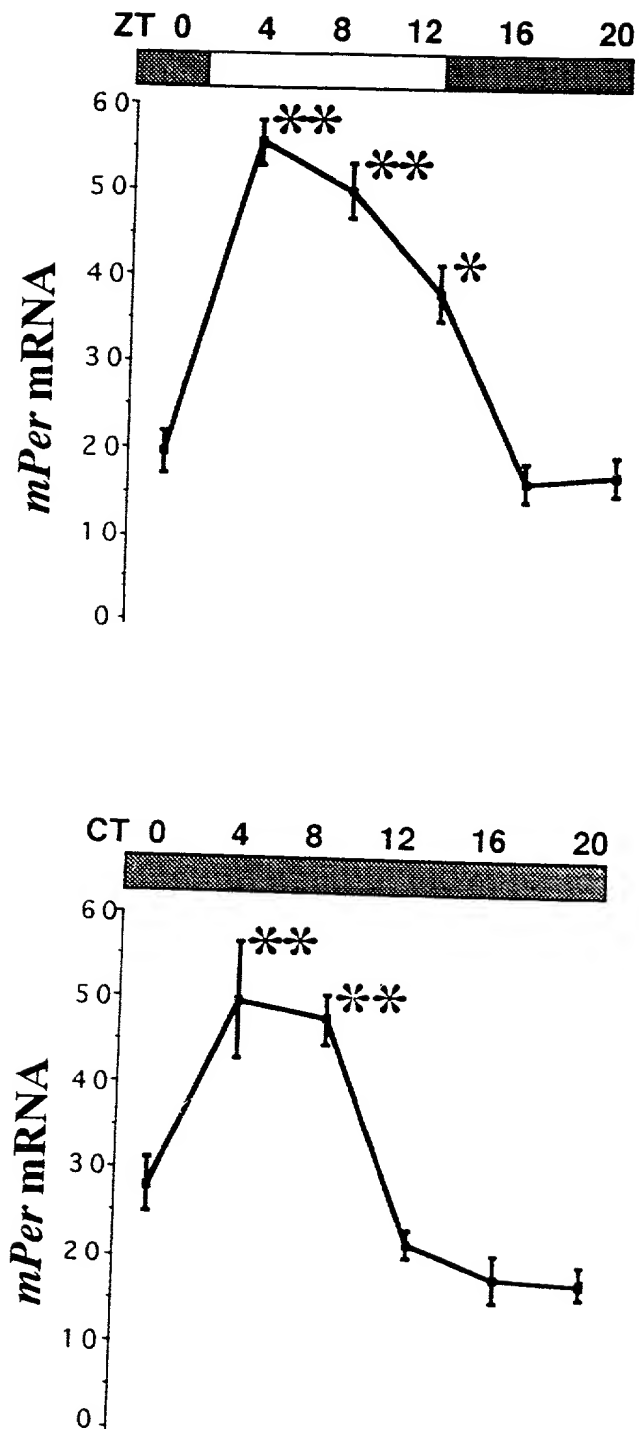
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Figure 8



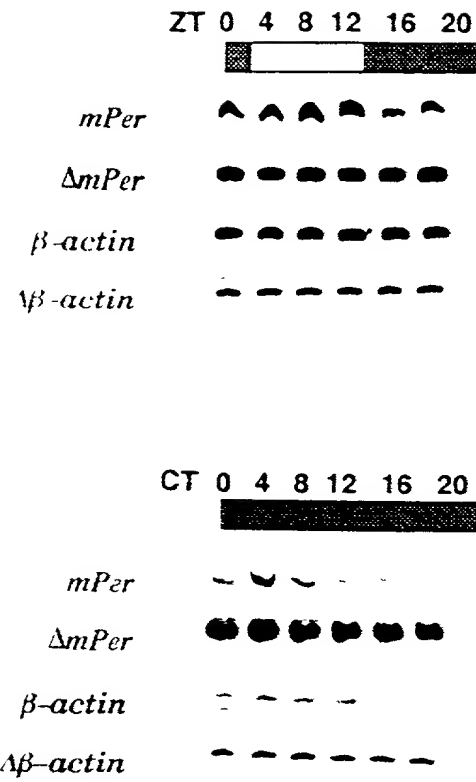
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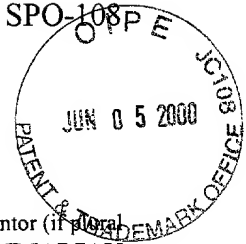
Figure 9



10/10

Figure 10





DECLARATION (37 CFR 1.63) AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name; and

I believe that I am the original, first, and sole inventor (if only one name is listed below), or an original, first, and joint inventor (if ~~two or more~~ names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **MAMMALIAN GENES INVOLVED IN CIRCADIAN PERIODS** the specification for which

☐ is attached hereto.

☒ was filed on September 11, 1998, as PCT International Application No. PCT/JP98/04125.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code §119 and/or §365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Application Serial No.	Country	Filing Date	Priority Claimed
9/267846	JP	September 12, 1997	Yes

I hereby claim priority benefits under Title 35, United States Code §119 of any provisional application(s) for patent listed below:

Application Serial No.	Filing Date	Priority Claimed
---------------------------	-------------	------------------

I hereby claim the benefit under Title 35, United States Code, §120 and/or §365 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status (patented, pending, abandoned)
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following persons registered to practice before the Patent and Trademark Office as my attorneys with full power of substitution and revocation to prosecute this application and all divisions and continuations thereof and to transact all business in the Patent and Trademark Office connected therewith: David R. Saliwanchik, Reg. No. 31,794; Jeff Lloyd, Reg. No. 35,589; Doran R. Pace, Reg. No. 38,261; Christine Q. McLeod, Reg. No. 36,213; Jay M. Sanders, Reg. No. 39,355; James S. Parker, Reg. No. 40,119; Jean Kyle, Reg. No. 36,987; Frank C. Eisenschenk, Reg. No. P-45,332; Seth M. Blum, Reg. No. P-45,489.

I request that all correspondence be sent to:

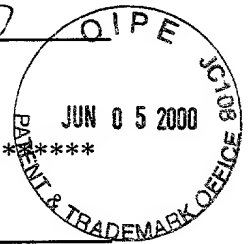
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Saliwanchik, Lloyd & Saliwanchik
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Yoshiyuki Sakaki Date April 20, 2000
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Tokyo 113-0032, Japan

Hajime Tei Date April 20, 2000
 Signature of Second Joint Inventor

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 Residence _____ Citizenship _____
 Post Office Address _____

 _____ Date _____

Signature of Third Joint Inventor

Name of Fourth Joint Inventor _____
 Residence _____ Citizenship _____
 Post Office Address _____

 _____ Date _____

Signature of Fourth Joint Inventor

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<110> SAKAKI, Yoshiyuki

<120> Mammalian Genes Involved in Circadian Periods

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<150> JP 9-267846

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005099" 24030550

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Ile Pro Pro Asp Lys Arg Ile Phe Thr Thr Arg His Thr Pro Ser Cys
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Pro Gln Asp Leu Leu Gly Ala Pro Val Leu Leu Phe Leu His Pro Glu
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690 695 700

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ctg ggc agg ctg cgt gga ctc gac agc tct tcc aca gct ccc tca gcc 2448

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Gly Glu Pro Phe Cys Pro Gly Gly Val Pro Ser Pro Gly Ala Pro Gln
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 His Arg Pro Cys Pro Gly Pro Ser Leu Ala Asp Asp Thr Asp Ala Asn
 35 40 45

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Ser Asn Gly Ser Ser Gly Asn Glu Ser Asn Gly Pro Glu Ser Arg Gly
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Ala Ser Gln Arg Ser Ser His Ser Ser Ser Ser Gly Asn Gly Lys Asp
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Asp Ser Asn Gly Gly Asp Ala Glu Gly Pro Gly Pro Pro Ala Pro Val
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 Thr Phe Gln Gln Ile Cys Lys Asp Val His Leu Val Lys His Gln Gly
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 Gln Gln Leu Phe Ile Glu Ser Arg Ala Lys Pro Pro Pro Arg Pro Arg
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 Pro Asn Pro Glu Leu Glu Val Ala Pro Val Pro Asp Gln Ala Ser Leu
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Gln	Pro	Tyr	Pro	Leu	Pro	Val	Phe	Ser	Pro	Arg	Gly	Gly	Pro	Gln	Pro		
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Leu	Pro	Pro	Ala	Pro	Thr	Ser	Val	Ser	Pro	Ala	Thr	Phe	Pro	Ser	Pro		
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Thr	Pro	Pro	Ser	Tyr	Pro	Tyr	Gly	Val	Ser	Gln	Ala	Pro	Val	Glu	Gly		
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Cys	Ser	Ser	Pro	Leu	Gln	Leu	Asn	Leu	Leu	Gln	Leu	Glu	Glu	Ser	Pro		
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